

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	3:12-CR-253
	:	
	:	(Judge Caputo)
vs.	:	
	:	
THEODOROS KYRIAKOPOULOS	:	(Electronically Filed)

RECONSIDERATION OF MOTION TO MODIFY CONDITIONS OF RELEASE

AND NOW comes the Defendant, Theodoros Kyriakopoulos, by and through his newly retained lawyer, Joseph R. D'Andrea, Esquire, and files the following Motion to Reconsider Modifications of Conditions of Release. In support thereof, the Defendant avers as follows:

1. On October 3, 2012, the Defendant was indicted and charged with Arson in violation of 18 U.S.C. Section 84 and Mail Fraud in violation of 18 U.S.C. Section 1341.
2. The Defendant appeared before United States Magistrate Judge Malachy E. Mannion for an initial appearance and was detained pending a detention hearing scheduled for October 19, 2012.
3. During the October 19, 2012 detention hearing, issues arose concerning the Defendant's possession of a Greek passport and because of those concerns a second detention hearing was scheduled for October 20, 2012;
4. As a result of the October 20, 2012 second detention hearing before Magistrate Judge Mannion, the Defendant was released with the condition

of Home Confinement with electronic monitoring pending notification to the Consulate General of Greece of the status of his passport.

5. The Court was concerned that the Greek Consulate should be made aware of the Defendant's criminal charges and status so he would not be able to secure an additional passport to flee the country.

6. On October 25, 2012 the Office of the Federal Public Defender received correspondence from a representative of the Greek Consulate acknowledging that they received certain paperwork regarding the status of the Defendant. Said correspondence has already been filed with the Court.

7. The conditions set forth by Magistrate Judge Mannion were met in that the Greek Consulate was made aware of the Defendant's status in order to prevent the Defendant from securing a new passport.

8. The Defendant has surrendered both his Greek and American passports to pre-trial services and is unable to leave the country nor is he able to get any new passports from either the United States or Greece rendering him unable to travel abroad.

9. The conditions set forth by Judge Mannion have been met and the Defendant is legally unable to leave the country.

10. The Defendant is fifty-seven years old, has never been in trouble with the law previously and is no threat to the community.

11. The individual named as Co-Defendant has been released without any conditions of Home Confinement and it is believed that the Co-Defendant has a past criminal history.

12. The condition of Home Confinement is excessive under the circumstances.

13. The Defendant specifically requests that this matter be brought to a hearing before the Court.

WHEREFORE, the Defendant respectfully requests this Honorable Court to reconsider its denial of a previously submitted request and grant this motion to be released from the Home Confinement provisions of his bail.

Respectfully submitted,

s/Joseph R. D'Andrea
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Date: 26 November 2012

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CERTIFICATE OF SERVICE

I, Joseph R. D'Andrea, Esquire, do hereby certify that this document, the foregoing **Reconsideratin of Motion to Modify Conditions of Release**, filed electronically through the ECF system will be sent to the registered participants as identified on the Notice of Electronic Filing (NEF), including to the following:

Meredith Taylor, Esquire
Assistant United States Attorney

And by sending the same by email to:

Theodoros Kyriakopoulos

Date: 20 November 2012

s/Joseph R. D'Andrea
Joseph R. D'Andrea, Esquire